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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,441	09/08/2003	Simon Alan Jones	G&C 30566.256-US-U1	1424
22462	7590	02/08/2005	EXAMINER	
GATES & COOPER LLP HOWARD HUGHES CENTER 6701 CENTER DRIVE WEST, SUITE 1050 LOS ANGELES, CA 90045			LAY, MICHELLE K	
			ART UNIT	PAPER NUMBER
			2672	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/657,441

Applicant(s)

JONES ET AL.

Examiner

Michelle K. Lay

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 – 3, 7 – 9, and 13 - 15 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,444,836 to Hollingsworth et al.

In regards to claims 1, 7, and 13, Hollingsworth et al. discloses an apparatus and method for creating and applying flexible, user defined rules for placement of graphical objects in a computer aided drafting (CAD) application. The placement subsystem (100) and its relationship to other subsystems are shown in Fig.1. Placement subsystem (100) communicates with database subsystem (102) over bidirectional communication link (110) to retrieve information and attributes associated with graphical objects to be placed on a graphical image. Database subsystem (102) may represent any database means capable of storing and retrieving information (claim 13). Placement subsystem (100) manipulates the information retrieved from database subsystem (102) by applying user defined rules to determine the proper placement of the graphical objects on the graphical image [column 4, lines 64 – 66]. As shown in Fig. 2, these subsystems (100) (102) (104) may coexist on a common computer system (210) (claim 7) [column 5, line 14]. The rule-processing component (200) represents

the rule application means for automatically reading and applying the placement rules defined by the user of the rule definition means [column 5, lines 58 – 61].

Referring to claims 2, 8, and 14, Fig. 2 depicts additional detail of the components within placement subsystem (100). A user of placement subsystem (100) uses rule creation and modification component (202) to create a textual file specifying the user defined placement rules to be applied in placement of all graphical objects (claim 2). The rule specification file contains a structured record for each set of rules to be applied to a particular class of graphical objects being placed [column 5, lines 32 – 39]. As shown in Fig. 2, the placement subsystem (100) exists on a common computer system (210) (claim 8) [column 5, line 14] and includes database subsystem (102) representing any database means capable of storing and retrieving information (claim 14).

Regarding claims 3, 9, and 15, the rule-processing component (200) of Fig. 2 reads the rule specification file from storage device (204) to initiate the creation of graphical image on graphical output device (106). Each structured record read from storage device (204) includes a database query element to be applied by rule processing component (200) to database subsystem (102) [column 5, lines 61 – 68]. The application of the query element to database subsystem (102) results in retrieval of zero or more information records. Each information record retrieved by the application of the query element to database subsystem (102) contains information regarding nominal placement of a graphical object to be placed on the graphical image (claim 3) [column 6, lines 1 – 7]. As shown in Fig. 2, these subsystems (100) (102) (104) may coexist on a common computer system (210) (claim 9) [column 5, line 14] and includes database

subsystem (102) representing any database means capable of storing and retrieving information (claim 15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,444,836 to Hollingsworth et al. in view of US Patent No. 6,049,340 to Matsushita et al.

Hollingsworth et al. teaches the claimed limitations of claims 4, 10, 16 with the exception of disclosing the object as a door. However, Matsushita et al. discloses a computer aided design (CAD) system in which the user selecting generates graphic drawings and placing figures representing objects such as walls and doors on a screen (claim 4).

Hollingsworth et al. further teaches the ability to place text on the graphical image. The text blocks specify the TS text string drawing keyword statement to invoke the text drawing features of placement subsystem (100) in drawing the placeable text block on the graphical image (claim 4) [column 21, lines 17 – 23].

As shown in Fig. 2, the CAD system of Matsushita et al. is a multiwindow CAD system (claim 10) and runs a CAD program (claim 16) that is used to generate graphic drawings of buildings [column 3, lines 63 – 65]. Referring to Fig. 1, a command-

selecting unit (1) selects a command to place a figure at a desired position with desired shape [column 3, lines 40 – 41]. This figure may be a door as shown in Figs. 7, 8, 9, and 10 [column 8, line 15].

Therefore, it would have been obvious to one in the art at the time the invention was made to combine the inventions of Hollingsworth et al. with Matsushita et al. because the automatic placement reduces the burden on the user of manually applying complex drafting rules in creating or modifying graphical images [Hollingsworth et al.: column 3, lines 64 – 66] within computer aided design systems. As Hollingsworth et al. determines, graphical objects may be lines, symbols, geometric shapes, text, or other constructs which are to be placed on the graphical image [Hollingsworth et al.: column 1, lines 24 – 26]. Thus, doors may be included within these graphical objects.

3. Claims 5, 6, 11, 12, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,444,836 to Hollingsworth et al. in view of US Patent No.6,025,849 to Felser et al.

Hollingsworth et al. teaches the claimed limitations of claims 5, 6, 11, 12, 17, and 18 except disclosing the use of grips on the object for positioning and sizing. However, Felser et al. teaches a flexible system within a computer aided design (CAD) system that can be applied to shape objects as well as any other object that has the ability to provide type information [Felser et al.: column 3, lines 11 – 13].

Felser et al. discloses a software system (claims 17, 18) that enables the creation and maintenance of relationships between properties of objects, wherein the objects

can be authored by the user [column 2, lines 40 – 45]. Referring to Fig. 1, the software system is typically implemented using a personal computer (100) (claim 11, 12), which includes a processor (102), random access memory (RAM) (104), data storage devices (106), data communications devices (108), monitor (110), mouse pointing device (112) and keyboard (114). Fig. 2 of Felser et al. is a block diagram that illustrates the components of an object (200) (also referred to as, intelligent shape object). It is comprised of a number of different elements, one being zero or more handles (210) (claim 5) that provide direct manipulation of the shape object (200), thereby allowing the user to stretch or otherwise resize the shape object (200) (claim 6) [column 4, lines 21 – 37].

Therefore, it would have been obvious to one at the time the invention was made to combine the invention of Hollingsworth et al. with the handles and resizing method of Felser et al. to allow direct manipulation of the object and to utilize the CAD program to its fullest extent [Felser et al.: column 1, lines 57 – 62]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle K. Lay whose telephone number is (703) 305-0887 until 02.28.2005, otherwise (571)272-7661. The examiner can normally be reached on Monday - Friday (7:30am - 4:00pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703)305-4713 until 02.28.2005,

otherwise (571)272-7664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mkl 01.28.2005

h.


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2/7/05